

REMARKS

Claims 15-30, 41-46, 51-52, 61, 62 and 65-70 are currently pending in the subject application. Claim 15 is the sole independent claim.

Applicants request, in the next Office action, that the Examiner indicate the acceptability of the drawings filed on August 26, 2003.

A. Introduction

In the outstanding Office Action Made Final,

1. claims 15-23, 27-30, 41-46, 51, 52, 61, 62, and 65-70 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5, 214,535 to Harris et al. (“the Harris et al. reference”) in view of U.S. Patent No. 5,772,905 to Chou (“the Chou reference”); and
2. claims 24-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Harris et al. reference in view of the Chou reference, and further in view of U.S. Patent No. 4,731,155 to Napoli et al. (“the Napoli et al. reference”);

B. Asserted Obviousness Rejection of Claims 15-23, 27-30, 41-46, 51, 52, 61, 62, and 65-70

In the outstanding Office Action Made Final, claims 15-23, 27-30, 41-46, 51, 52, 61, 62, and 65-70 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Harris et al. reference in view of the Chou reference. Claim 15 has been amended to further define embodiments. It is submitted that claim 15 is allowable over the applied references for at least the reason set forth above.

Claim 15 now recites, in part, “removing imprintable material in a periphery of each of the plurality of optical elements.” Support for this limitation may be found, for example, in paragraph [0077] of the original specification. Claim 15 also recites, in part, separating “in the periphery of each of the plurality of optical elements.” Support for this limitation may be found, for example, in paragraph [0075] of the original specification.

Even assuming arguendo that the Harris et al. reference in view of the Chou reference may be combined, which is not conceded, this combination fails to suggest, much less disclose, all of the limitations of claim 15. In particular, there is no suggestion or disclosure in the Chou reference regarding removing imprintable material in a periphery of an optical element.¹ Further, while the Harris et al. reference may disclose using a mold, there is no suggestion or

¹ In the Chou reference, removal of the compressed film is within the pattern or optical element itself.

disclosure in the Chou reference regarding removing imprintable material in a periphery of an optical element. Additionally, there is no disclosure in the Chou reference regarding separating the substrate having the hardened replica thereon. Finally, while the Harris et al. reference may disclose such separation, there is no disclosure of removing any material used to mold the optical elements. Thus, it is submitted that the combination fails to suggest, much less disclose, imprinting a plurality of optical elements on a wafer level, i.e., when imprintable material is on the entirety of the substrate, removing imprintable material from a periphery of each optical element, and separating into individual optical elements in the periphery, each individual optical element including a hardened replica.

Therefore, it is respectfully submitted that neither the Harris et al. reference nor the Chou reference, either alone or in combination, suggest, much less disclose, all of the limitations of claim 15. The remaining rejected claims depend, either directly or indirectly, from claim 15, and are similarly believed to be allowable.

C. Asserted Obviousness Rejection of Claims 24-26

In the outstanding Office Action Made Final, dependent claims 24-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Harris et al. reference in view of the Chou reference, and further in view of the Napoli et al. reference. While the Napoli et al. reference may disclose imprinting on both sides of a wafer, the wafer is to be longitudinally cut to improve yield. Thus, none of the references suggest, much less disclose, imprinting both side of a substrate to create individual optical elements, each including a pair of opposing, corresponding optical elements. Therefore, it is respectfully submitted that claim 24, as well as claims 25-26 depending therefrom, are further allowable, as well as being allowable due to their dependency on claim 15.

D. Conclusion

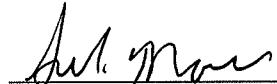
If the Examiner believes that additional discussions or information might advance the prosecution of the instant application, the Examiner is invited to contact the undersigned at the telephone number listed below to expedite resolution of any outstanding issues.

In view of the foregoing amendments and remarks, reconsideration of this application is earnestly solicited, and an early and favorable further action upon all the claims is hereby requested.

Respectfully submitted,

LEE & MORSE, P.C.

Date: September 22, 2011



Susan S. Morse, Reg. No. 35,292

LEE & MORSE, P.C.
3141 FAIRVIEW PARK DRIVE
SUITE 500
FALLS CHURCH, VA 22042
703.207.0008 TEL
703.207.0003 FAX

PETITION and
DEPOSIT ACCOUNT CHARGE AUTHORIZATION

This document and any concurrently filed papers are believed to be timely. Should any extension of the term be required, applicant hereby petitions the Director for such extension and requests that any applicable petition fee be charged to Deposit Account No. 50-1645.

If fee payment is enclosed, this amount is believed to be correct. However, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1645.

Any additional fee(s) necessary to effect the proper and timely filing of the accompanying-papers may also be charged to Deposit Account No. 50-1645.